IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

BAIL APPL..NO. 7471 OF 2006()

CRIME NO.1293/06 OF KARUNAGAPPALLY POLICE STATION

: PETITIONER/ACCUSED:

SADIQ, AGED 29 YEARS,
S/O. ALIKUNJU LABBA,KAKKONTTAYYATH(KARUKATHARAYIL)
KADATHOOR MURI, THAZHAVA VILLAGE,
KARUNAGAPPALLY TALUK.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENT: STATE:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 7471 OF 2006

DATED THIS THE 19TH DAY OF DECEMBER, 2006

O R D E R

Petitioner who is the first accused in Crime No.1293/06 of Karunagappally Police Station for offences punishable under sections 143, 147, 148, 324, 326, 308, 424, 427 and 452 read with section 149 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The occurrence took place on 21.11.2006 at 1.30 PM inside the house of the de facto complainant who is the elder brother of the petitioner. The de facto complainant and his wife were allegedly attacked with sword and other weapons by the petitioner and accused 2 to 6 who are said to be hired gundas engaged by the petitioner. Accused 2 and 6 are yet to be arrested by the Police.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within 10 days from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn